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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10
11 In the Matter of the Accusation Against:

Case No. **2013-813**

12 **IYAD A. ALTITI, AKA IYAD ATALLAH**
13 **ALTITI**

ACCUSATION

14 **1160 Bonneville Court**
San Pablo, CA 94806

15 **P.O. Box 1066, Bethlehem, Israel 97200**

16 **Registered Nurse License No. 623124**

17 **Respondent.**

18
19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
23 Consumer Affairs.

24 2. On or about July 31, 2003, the Board of Registered Nursing issued Registered Nurse
25 License Number 623124 to Iyad A. Altiti, AKA Iyad Atallah Altiti (Respondent). The Registered
26 Nurse License was in full force and effect at all times relevant to the charges brought herein and
27 will expire on July 31, 2013, unless renewed.
28

JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

6. Section 118, subdivision (b), of the Code provides that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

7. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct, which includes, but is not limited to, the following:

..."

8. Section 2762 of the Code states:

"In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

"(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as defined in Section 4022.

1 "(b) Use any controlled substance as defined in Division 10 (commencing with Section
2 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in
3 Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to
4 himself or herself, any other person, or the public or to the extent that such use impairs his or her
5 ability to conduct with safety to the public the practice authorized by his or her license.

6 "(c) Be convicted of a criminal offense involving the prescription, consumption, or
7 self-administration of any of the substances described in subdivisions (a) and (b) of this section,
8 or the possession of, or falsification of a record pertaining to, the substances described in
9 subdivision (a) of this section, in which event the record of the conviction is conclusive evidence
10 thereof.

11 "(d) Be committed or confined by a court of competent jurisdiction for intemperate use of
12 or addiction to the use of any of the substances described in subdivisions (a) and (b) of this
13 section, in which event the court order of commitment or confinement is prima facie evidence of
14 such commitment or confinement.

15 "(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any
16 hospital, patient, or other record pertaining to the substances described in subdivision (a) of this
17 section."

18 9. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
19 administrative law judge to direct a licentiate found to have committed a violation or violations of
20 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
21 enforcement of the case.

22 10. Health and Safety Code section 11173(a) states, in pertinent part, that no person shall
23 obtain or attempt to obtain controlled substances, or procure or attempt to procure the
24 administration of or prescription for controlled substances by fraud, deceit, misrepresentation or
25 subterfuge.

26 11. Code section 4060 provides, in pertinent part, that no person shall possess any
27 controlled substance, except that furnished upon a valid prescription/drug order.
28

1 12. Health and Safety Code section 11377, in pertinent part, makes it unlawful to possess
2 any controlled substance in Schedule II, subdivision (d), without a prescription.

3 DRUGS

4 13. Morphine is a Schedule II controlled substance as designated by Health and Safety
5 Code section 11055(b)(1)(L), and a dangerous drug as designated by Code section 4022. It is
6 used to treat moderate to severe pain.

7 14. Hydromorphone with Acetaminophen ("Dilaudid") is a Schedule II controlled
8 substance as designated by Health and Safety Code section 11055(b)(1)(J) and a dangerous drug
9 as designated by Business and Professions Code section 4022, used for pain relief.

10 FIRST CAUSE FOR DISCIPLINE

11 (FALSIFY, OR MAKE GROSSLY INCORRECT, GROSSLY INCONSISTENT, OR
12 UNINTELLIGIBLE ENTRIES IN ANY PATIENT RECORD)

13 15. Respondent is subject to disciplinary action under Code section 2762(e), in that while
14 on duty as a registered nurse at Marin General Hospital in Greenbrae, California, Respondent
15 falsified, made grossly incorrect, grossly inconsistent, or unintelligible entries in hospital and
16 patient records, as alleged below.

17 16. On January 12, 2011 at 12:39, Respondent withdrew 1 mg of hydromorphone from
18 the hospital's Pyxis for Patient FF.¹ Patient FF did not have a physician's order for
19 hydromorphone, and Respondent failed to document wastage, administration of the medication,
20 or otherwise account for its disposition.

21 17. On January 25, 2011 at 16:22, Respondent withdrew 10 mg of morphine from the
22 hospital's Pyxis for Patient JT. Patient JT did not have a physician's order for morphine, and
23 Respondent failed to document wastage, administration of the medication, or otherwise account
24 for its disposition.

25 18. On January 28, 2011 at 9:17, Respondent withdrew 10 mg of morphine from the
26 hospital's Pyxis for Patient RA. Patient RA did not have a physician's order for morphine, and

27 _____
28 ¹ Pyxis is a computerized medication inventory system.

1 Respondent failed to document wastage, administration of the medication, or otherwise account
2 for its disposition.

3 19. On February 11, 2011 at 15:01, Responent withdrew 10 mg of morphine from the
4 hospital's Pyxis for Patient CM. Patient CM did not have a physician's order for morphine, and
5 Respondent failed to document wastage, administration of the medication, or otherwise account
6 for its disposition.

7 SECOND CAUSE FOR DISCIPLINE

8 (ILLEGALLY OBTAIN OR POSSESS CONTROLLED SUBSTANCES)

9 20. Respondent is subject to disciplinary action under Code section 2762(a), in that while
10 on duty as a registered nurse at Marin General Hospital in Greenbrae, California, Respondent
11 illegally obtained and/or possessed controlled substances as alleged above in paragraphs 16
12 through 19.

13 THIRD CAUSE FOR DISCIPLINE

14 (UNPROFESSIONAL CONDUCT)

15 21. Respondent is subject to disciplinary action under section 2761(a) in that he acted
16 unprofessionally as alleged above in paragraphs 16 through 19.

17 PRAYER

18 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
19 and that following the hearing, the Board of Registered Nursing issue a decision:

20 1. Revoking or suspending Registered Nurse License Number 623124, issued to Iyad A.
21 Altiti AKA Iyad Atallah Altiti;

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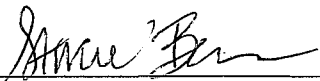
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2. Ordering Iyad A. Altiti AKA Iyad Atallah Altiti to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: March 20, 2013


fW LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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